

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

FRANCISCO MIRANDA,

Plaintiff,

vs.

ALASKA LONGLINE, LLC., OCEAN  
PROWLER, LLC and PROWLER  
FISHERIES, INC.,

Defendants.

NO. 2:15-cv-00148 TSZ

ANSWER TO AMENDED COMPLAINT

Defendants, by and through their counsel, Betts Patterson & Mines and Steve Goldstein, answer Plaintiff's Amended Complaint by admitting, denying and alleging as follows:

1. Answering the allegations in paragraph 1, defendants admits that plaintiff is making the various allegations set forth in that paragraph, but specifically denies each and every one of those allegations made.

2. Answering the allegations in paragraph 2, defendants admits that plaintiff is making the various allegations set forth in that paragraph, but specifically denies each and every one of those allegations made.

ANSWER TO AMENDED COMPLAINT - 1 -

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Patterson  
Mines  
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1           3. Answering the allegations in paragraph 3, defendants admits that plaintiff is seeking  
2 the relief set forth in that paragraph, but specifically denies that he is entitled to any of the relief  
3 sought.

4           3. The statement in paragraph 3 does not allege any facts so no response is required. To  
5 the extent a response is required, the Court will determine whether plaintiff can or cannot  
6 reserve his ability to amend his complaint.

7           4. Answering the allegations in paragraph 4, defendants deny plaintiff's characterization  
8 of the EEOC findings as incomplete, as the EEOC found probable cause to believe there was  
9 harassment based on the allegations against one supervisor only, and that it also found no  
10 probable cause to believe plaintiff was discharged based on national origin.

11           5. Defendants admit the allegations in paragraph 5.

12           6. Defendants admit the allegations in paragraph 6.

13           7. Answering paragraph 7, defendants admit that the allegations in this paragraph as to  
14 defendants Alaska Longline LLC and Ocean Prowler LLC. Defendants deny the allegation as  
15 to defendant Prowler Fisheries Inc.

16           8. Defendants admit the allegations in paragraph 8.

17           9. Defendants admit the allegations in the first sentence of paragraph 9. Answering the  
18 second and third sentences, defendants Alaska Longline LLC and Ocean Prowler LLC. admit  
19 the allegations, and defendant Alaska Fisheries Inc., denies the allegations.

20           10. Defendants Alaska Longline LLC and Ocean Prowler LLC. admit the allegations in  
21 paragraph 10, and defendant Alaska Fisheries Inc. denies them.

22           11. Defendants admit the allegations in paragraph 11.

23           12. Defendants admit the allegations in paragraph 12.

24           13. Defendant admits the allegations in paragraph 13, but affirmatively asserts that the  
25 EEOC findings cited are incomplete, as the EEOC found probable cause to believe there was

1 harassment based on the allegations against one supervisor only, and that it also found no  
2 probable cause to believe plaintiff was discharged based on national origin.

3 14. Defendants admit the allegations in paragraph 14, but denies that Defendants  
4 subjected Plaintiff to a hostile work environment or harassed him.

5 15. Answering the allegations in paragraph 14, defendants incorporate their answers as  
6 set forth above.

7 16. Defendants deny each and every allegation in paragraph 16.

8 17. Defendants deny each and every allegation in paragraph 17.

9 18. Defendants deny each and every allegation in paragraph 18.

10 19. Defendants deny each and every allegation in paragraph 19.

11 20. Defendants deny each and every allegation in paragraph 20.

12 21. Defendants deny each and every allegation in paragraph 21.

13 22. Defendants deny each and every allegation in paragraph 22.

14 23. Defendants deny each and every allegation in paragraph 23.

15 24. Defendants deny each and every allegation in paragraph 24.

16 25. Defendants deny each and every allegation in paragraph 25.

17 26. Defendants deny each and every allegation in paragraph 26.

18 27. Defendants deny that plaintiff is entitled to any of the relief sought in his prayer for  
19 relief.

20 As Affirmative Defenses, Defendants allege as follows:

21 1. Plaintiff fails to state, in whole or in part, claims upon which relief can be granted.

22 2. Plaintiff has failed to mitigate his damages, if any.

23 3. Plaintiff failed to utilize any complaint procedures available and his recovery should  
24 therefore be barred or limited.

1           Wherefore, having fully answered the Amended Complaint, defendants pray that it be  
2 dismissed with prejudice, that defendants be awarded their costs and disbursements, including  
3 reasonable attorneys' fees, and for such other relief as the Court deems just and equitable.

4           DATED this 1st day of September, 2015.

6  
7                                   BETTS, PATTERSON & MINES, P.S.

8  
9                                   By: /s/ Steve Goldstein

10                                  Steven Goldstein, WSBA #11042  
11                                  Attorneys for Defendants  
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1 **CERTIFICATE OF SERVICE**

2 I, Karen Pritchard, hereby certify that on September 1, 2015, I electronically filed the  
3 following:

- 4 • Answer; and  
5 • Certificate of Service

6 with the Court using the CM/ECF system which will send notification of such filing to the  
7 following

8 ***Attorneys for Plaintiff Francisco Miranda***

9 Scott C. G. Blankenship

10 Robin J. Shishido

Blankenship Law Firm, PS

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12 Seattle, WA, 98104

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15 I declare under penalty of perjury under the laws of the State of Washington that the  
16 foregoing is true and correct.

17 DATED this 1<sup>st</sup> day of September, 2015.

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20 

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Karen Pritchard, Legal Assistant to  
21 Steven Goldstein